

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)	Chapter11
)	
SERTA SIMMONS BEDDING, LLC, <i>et al.</i> , ¹)	Case No. 23-90020 (DRJ)
)	
Debtors.)	(Jointly Administered)
)	
<hr/>		
)	
SERTA SIMMONS BEDDING, LLC, <i>et al.</i>)	Adversary Case No. 23-09001 (DRJ)
)	
Plaintiffs,)	
)	
v.)	
)	
AG CENTRE STREET PARTNERSHIP L.P.,)	
<i>et al.</i> ,)	
)	
Defendants.)	
)	

**NOTICE OF APPEARANCE, REQUEST FOR ALL
NOTICES, AND DEMAND FOR SERVICE OF PAPERS**

PLEASE TAKE NOTICE that McKool Smith PC (“**McKool Smith**”) and Holwell Shuster & Goldberg LLP (“**HSG**”) appear on behalf of the LCM Lenders² and hereby submit this notice of appearance in the above-captioned proceedings (the “**Adversary Proceeding**”) and requests notice of all hearings and conferences herein and make a demand for service of all papers herein, including

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Dawn Intermediate, LLC (6123); Serta Simmons Bedding, LLC (1874); Serta International Holdco, LLC (6101); National Bedding Company L.L.C. (0695); SSB Manufacturing Company (5743); The Simmons Manufacturing Co., LLC (0960); Dreamwell, Ltd. (2419); SSB Hospitality, LLC (2016); SSB Logistics, LLC (6691); Simmons Bedding Company, LLC (2552); Tuft & Needle, LLC (6215); Tomorrow Sleep LLC (0678); SSB Retail, LLC (9245); and World of Sleep Outlets, LLC (0957). The Debtors' corporate headquarters and service address for these chapter 11 cases is 2451 Industry Avenue, Doraville, Georgia 30360.

² The LCM Lenders are LCM XIII Limited Partnership, LCM XIV Limited Partnership, LCM XV Limited Partnership, LCM XVI Limited Partnership, LCM XVII Limited Partnership, LCM XVIII Limited Partnership, LCM XIX Limited Partnership, LCM XX Limited Partnership, LCM XXI Limited Partnership, LCM XXII Ltd., LCM XXIII Ltd., LCM XXIV Ltd., LCM XXV Ltd., LCM 26 Ltd., LCM 27 Ltd. and LCM 28 Ltd.

all papers and notices pursuant to Rules 2002, 3011, 3017, 5009, 9007, and 9010 (if applicable) of the Federal Rules of Bankruptcy Procedures (the “**Bankruptcy Rules**”) and Sections 342 and 1109(b) (if applicable) of title 11 of the U.S. Code (the “**Bankruptcy Code**”).

All notices given or required to be given in this Adversary Proceeding shall be given to and served upon McKool Smith and HSG at the following addresses:

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-and-

Michael Shuster (admitted *pro hac vice* in main cases)
Vincent Levy (admitted *pro hac vice* in main cases)
Neil R. Lieberman (admitted *pro hac vice* in main cases)
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PLEASE TAKE FURTHER NOTICE that the foregoing demand includes not only the notices and papers referred to in the Bankruptcy Rules and sections of the Bankruptcy Code specified above, but also includes, without limitation, the schedules, statement of financial affairs, operating

reports, any plan of reorganization or disclosure statement, any letter, application, motion, complaint, objection, claim, demand, hearing, petition, pleadings or request, discovery request, deposition notice, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, delivery, electronic mail, telephone, telegraph, telex or otherwise filed with or delivered to the Bankruptcy Clerk, Clerk, Court or Judge (as those terms are defined in Bankruptcy Rule 9001) in connection with and with regard to the these cases.

PLEASE TAKE FURTHER NOTICE that the LCM Lenders intend that neither this Notice of Appearance nor any later appearance, pleading, claim or suit shall waive: (i) the right of the LCM Lenders to object and/or not consent to entry of final orders by a Bankruptcy Judge in non-core matters and request that final orders in non-core matters be entered only after de novo review by a District Judge; (ii) the right of the LCM Lenders to a trial by jury in any proceedings so triable in these Chapter 11 Cases or any case, controversy or proceeding related to these Chapter 11 Cases; (iii) the right of the LCM Lenders to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; or, (iv) any other rights, claims, actions, defenses, setoffs, or recoupments to which the LCM Lenders is or may be entitled under agreements, at law, in equity or otherwise, all of which rights, claims, actions, defenses, setoffs, and recoupments the undersigned expressly reserves on behalf of the LCM Lenders.

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Dated: February 8, 2023

Respectfully submitted,

McKool Smith, PC

/s/ John J. Sparacino

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Counsel for the LCM Lenders

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Notice of Appearance and Request for Service of Papers was served by electronic delivery on all persons and entities receiving ECF notice in this case on February 8, 2023.

/s/ John J. Sparacino

John J. Sparacino